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Attorneys for Plaintiff and the proposed Class

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Thomas Carnes, by and through his Guardian ad Litem,
 Juliana Christine Clegg, on his own behalf and on behalf
 of others similarly situated,

Plaintiff,

vs.

Atria Senior Living, Inc. and Does 1 Through 100,

Defendants.

CASE NO. 3:14-cv-02727-VC

STIPULATION AND
[PROPOSED] ORDER TO
EXTEND DEADLINE TO FILE
PLAINTIFF'S SECOND
AMENDED COMPLAINT AND
DEENDANT'S RESPONSIVE
PLEADING

Judge: Hon. Vince Chhabria

WHEREAS, plaintiff filed his Class Action Complaint in this Court on June 12, 2014;

WHEREAS, plaintiff filed his First Amended Class Action Complaint in this Court on August 7, 2014;

WHEREAS, on August 27, 2014, the parties stipulated to extend the deadline for defendant to respond to plaintiff's First Amended Complaint to September 11, 2014;

WHEREAS, on September 11, 2014, defendant filed its Motion to Dismiss plaintiff's First Amended Complaint with a hearing date of November 6, 2014;

WHEREAS, hearing was held on defendant's Motion to Dismiss plaintiff's First Amended Complaint on November 6, 2014 and the Court issued an Order Granting Defendant's Motion to Dismiss the First Amended Complaint with leave to amend within 21 days of the date of the order, or November 27, 2014;

WHEREAS, the Parties, upon meeting and conferring, and in the interest of convenience and fairness to the parties and the Court, have agreed to a revised pleading schedule to accommodate the upcoming Thanksgiving holiday, and have agreed that plaintiff shall have an additional two weeks in which to file his Second Amended Complaint so that the Second Amended Complaint shall now be filed on December 11, 2014; and

WHEREAS, the Parties have further agreed that defendant shall also have an additional two weeks in which to file its responsive pleading to January 15, 2015.

NOW THEREFORE, THE PARTIES STIPULATE THAT:

1. The deadline for Plaintiff to file his Second Amended Complaint will be extended by 14 days to December 11, 2014.

2. The deadline for Defendant to file its responsive pleading to Plaintiff's Second Amended Complaint will be extended by 14 days to January 15, 2014.

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1 **IT IS SO STIPULATED.**

2 Respectfully submitted,

3 DATED: November 10, 2014

4 STEBNER AND ASSOCIATES

5 /s/ Kathryn A. Stebner

6 Kathryn A. Stebner

7 Attorneys for Plaintiff and the proposed Class

8 DATED: November 10, 2014

9 LEWIS BRISBOIS BISGAARD & SMITH LLP

10 /s/ Katherine DenBleyker

11 Katherine DenBleyker

12 Attorneys for Defendant

13 **DECLARATION OF CONSENT**

14 I, Kathryn A. Stebner, hereby declare pursuant to General Order 45, § X(B), that I have
15 obtained concurrence in the filing of this document from Katherine DenBleyker. I declare under
16 penalty of perjury that the foregoing is true and correct.

17 Executed on November 10, 2014, in the City of San Francisco, California.


18 /s/ Kathryn A. Stebner

19 Kathryn A. Stebner

20
21
22 **PROPOSED ORDER**

23 Pursuant to the Stipulation, **IT IS SO ORDERED.**

24
25 Dated: November 12, 2014

26 
27 Honorable Vince Chhabria
28 United States District Judge